

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor  
Darrell Bazzell, Secretary  
Gloria L. McCutcheon, Regional Director

Southeast Regional Headquarters  
2300 N. Dr. ML King Drive, PO Box 12436  
Milwaukee, Wisconsin 53212-0436  
Telephone 414-263-8500  
FAX 414-263-8483  
TTY 414-263-8713

June 11, 2002

Mr. Steven Samolyk  
Patrick Cudahy, Inc.  
1 Sweet Applewood Lane  
Cudahy, WI 53110

Subject: Final Closure for Patrick Cudahy, 3500 E. Barnard Ave., Cudahy, WI

FID: 241885710  
BRRS: 03-41-190974

Dear Mr. Samolyk:

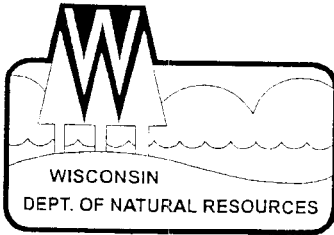
The Department has received the groundwater use and deed restriction for the above-named site. Based on the investigation and remedial documentation provided to the Department, it appears that the above-named site is in compliance with the requirements of Chs. NR 700 to 726, Wis. Admin. Code, as applicable. Therefore, the Department considers the case closed and tracked as such, having determined that no further action is necessary at the site at this time. However, the case may be reopened pursuant to S. NR 726.09, Wis. Admin. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety, welfare, or the environment.

The Department appreciates the actions you have taken to investigate and remediate the contamination at this site. If you have any questions or comments, please feel free to contact me at the above address or at (414) 263-8644. Please refer to the FID number at the top of this letter in any future correspondence. Future correspondence should be sent directly to the Remediation and Redevelopment Program Assistant Vicky Stovall (414-263-8680) at the above address.

Sincerely,

John J. Hnat  
Hydrogeologist  
Remediation and Redevelopment

C: Dan Pelczar, Key Engineering  
WDNR SER Files



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor  
Darrell Bazzell, Secretary  
Gloria L. McCutcheon, Regional Director

Southeast Regional Headquarters  
2300 N. Dr. ML King Drive, PO Box 12436  
Milwaukee, Wisconsin 53212-0436  
Telephone 414-263-8500  
FAX 414-263-8483  
TTY 414-263-8713

February 28, 2001

Mr. Daniel Pelczar  
Key Environmental  
215 Commerce Court  
Cedarburg, WI 53012

Subject: Modified Deed and Groundwater Use Restrictions Request for Patrick Cudahy, 3500 E. Barnard Ave., Cudahy, WI.

FID: 241885710  
BRRTS: 03-41-190974

Dear Mr. Pelczar:

On February 22, 2001 we had a conversation pertaining to the above-named site on modifying the deed and groundwater use restriction. Instead of requiring a groundwater use restriction for the entire 61-acre site, you inquired if the restriction could be based on defining the groundwater plume by surveying in the area. In addition, if the deed restriction could also be based on defining the contaminated soil area by another survey.

I contacted Ms. Judy Ohm (608/266-9972) of our legal staff in Madison and discussed the possibility of using surveys to define contaminated soil and groundwater areas for legal documents. She contacted me on February 28, 2001 and said that you can use surveys to define the areas of contamination in soil and groundwater for property restriction purposes. The only requirements the Department would have are the following:

1. The property must be on a municipal water system.
2. The survey clearly defines the extent of the contamination (soil and/or water) based on the investigation completed for the site.
3. There will be no threat to public health, safety, or the environment.

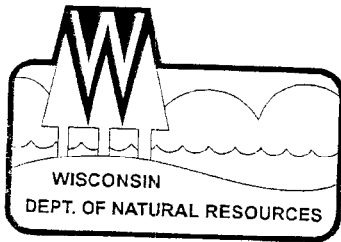
Therefore, the Department agrees with your proposal to use surveys to define contaminated soil and groundwater areas for the property restrictions.

If you have any questions or comments, please feel free to contact me at the above address or at (414) 263-8644. Please refer to the FID number at the top of this letter in any future correspondence. Future correspondence should be sent directly to me at the above address.

Sincerely,

John J. Hnat  
Hydrogeologist  
Remediation and Redevelopment

C: Steven Samolyk, Patrick Cudahy  
WDNR SER Files



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
Gloria L. McCutcheon, Regional Director

Southeast Regional Headquarters  
2300 N. Dr. ML King Drive, PO Box 12436  
Milwaukee, Wisconsin 53212-0436  
Telephone 414-263-8500  
FAX 414-263-8483  
TDD 414-263-8713

January 12, 2001

Mr. Steven Samolyk  
Patrick Cudahy, Inc.  
3500 East Barnard Avenue  
Cudahy, WI 53110

Subject: Conditional Closure for Patrick Cudahy, Inc., 3500 E. Barnard Ave., Cudahy, WI.

FID: 241885710  
BRTS: 03-41-190974

Dear Mr. Samolyk:

I presented this case on January 9, 2000 to the Department's closure committee. Based on the investigation and remedial documentation provided to the Department, it appears that the above-named site is in compliance with the requirements of Chs. NR 700 to 724, Wis. Admin. Code. Therefore, the Department considers the case "conditionally closed" and tracked as such. Since the site is "conditionally closed", the following requirements are to be completed before the site can be officially closed and recorded as such on the Department's tracking system:

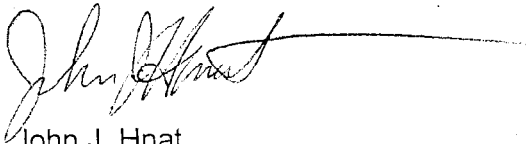
1. Because of ch. NR 140 groundwater quality exceedances in groundwater monitoring wells MW-1 (benzo[a]pyrene = 0.04 ppb, sample date 9/13/00) and MW-4 (benzo[b]fluoranthene = 257 ppb and naphthalene = 61 ppb, sample date 8/4/98, and the presence of oil residue thereafter), the Department requires a groundwater use restriction for the property at the county register of deeds office which will satisfy the requirements in ch. NR 726.05(2)(b) and ch. NR 726.05 (8)(am) Wis. Admin. Code. A draft copy of the groundwater use restriction must be sent to this office for review, before forwarding to WDNR legal staff in Madison for final approval. A copy of the final certified groundwater use restriction forwarded to this office at the time of recording at the County Register of Deeds Office.
2. Because of DRO exceedances in GP-2 (2400 ppm), GP-3 (4500 ppm), GP-4 (4300 ppm), GP-9 (170 ppm) and GP-12 (1200 ppm) and the planned use of the asphalt surface to reduce infiltration of contaminants leaching into the groundwater as a engineered cap and as a performance standard per s. NR 720.19 (2); the Department requires the filing of a deed restriction under s. NR 726.05(8). The restriction should specify maintenance actions (and frequency, if necessary) to ensure that the remedy will remain effective over time. The restriction should include a statement or statements prohibiting non-industrial uses of the site. If in the future, a non-industrial land use is planned for the property, WDNR (as the enforcement agency for the restriction) must be notified by the RP of the intent to change the land use.

A draft copy of the groundwater use restriction must be sent to this office for review, before forwarding to WDNR legal staff in Madison for final approval. A copy of the final certified groundwater use restriction forwarded to this office at the time of recording at the County Register of Deeds Office.

3. Sections NR 714.07(5) and NR 722.09 (2)(a)2, Wis. Admin. Code, requires responsible parties to publish a Class 1 public notice in compliance with the requirements of ch. 985, Wis. Stats., whenever a performance standard is proposed to be selected for a soil remedial action. A newspaper copy of the Class 1 public notice is to be sent to this office when published.
4. Completion of NR 726.05 (8)(c) Wisconsin Administration Code, regarding monitoring well abandonment documentation, is received at this office within 60 days.

If you have any questions or comments, please feel free to contact me at the above address or at (414) 263-8644. Please refer to the FID number at the top of this letter in any future correspondence. Future correspondence should be sent directly to me at the above address.

Sincerely,

A handwritten signature in black ink, appearing to read "John J. Hnat", followed by a long horizontal line extending to the right.

John J. Hnat  
Hydrogeologist  
Remediation and Redevelopment

C: Dan Pelczar, Key Engineering Group  
WDNR SER Files

**EXHIBIT #1**  
**LEGAL DESCRIPTION**

A portion of Certified Survey Map No. 5961 records of Milwaukee County being located in a part of the Northeast quarter of the Northwest quarter of Section 26, Township 6 North, Range 22 East, City of Cudahy, Milwaukee County, Wisconsin, described as follows:

Commencing at the Northwest corner of the Northwest quarter of said Section 26;

thence N 88°10'19" E along the North line of said Section 26, a distance of 1496.68 feet to a point on the Westerly right of way line of the Chicago and Northwestern Transportation Company,

thence S 34°14'41" E along said Westerly right of way line, a distance of 344.65 feet,

thence S 34°14'41" E along said Westerly right of way line, a distance of 53.79 feet to a point of curvature,

thence 834.23 feet along the arc of a curve to the right having a radius of 2819.93 feet and a central angle of 16°57'00", said arc being subtended by a chord bearing S 25°46'11" E, a distance of 831.19 feet to the POINT OF BEGINNING,

thence 131.10 feet along the arc of a curve to the right having a radius of 2819.93 feet and a central angle of 2°39'49", said arc being subtended by a chord bearing S 15°57'46" E, a distance of 131.09 feet to a point,

thence S 78°24'43" W, a distance of 88.68 feet,

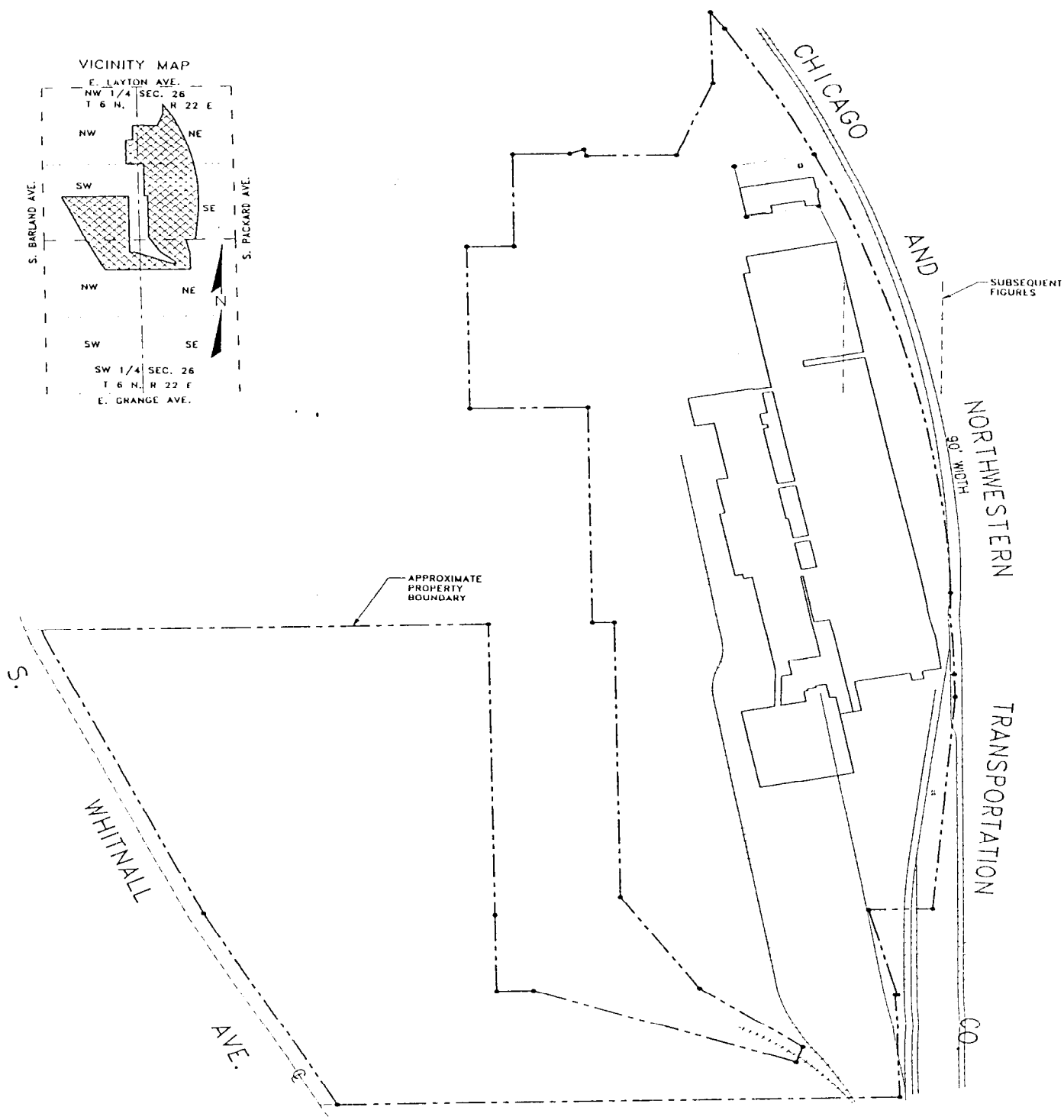
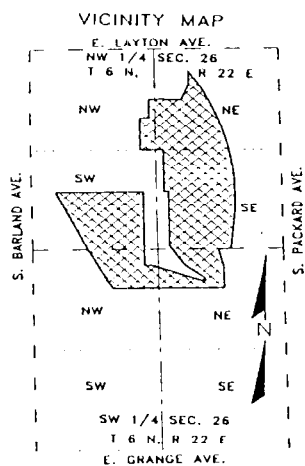
thence N 11°23'49" W, a distance of 91.54 feet,

thence N 78°24'43" E, a distance of 15.90 feet,

thence N 11°35'16" W, a distance of 39.16 feet,

thence N 78°24'43" E, a distance of 62.48 feet to the POINT OF BEGINNING,

Said parcel contains 10,356.00 square feet or 0.238 acres, more or less and is subject to all easements, roadways or any other matters of record.



SOURCE: Certified Survey Map No. 5799  
National Survey & Engineering  
NSE No. 155633  
Date unknown

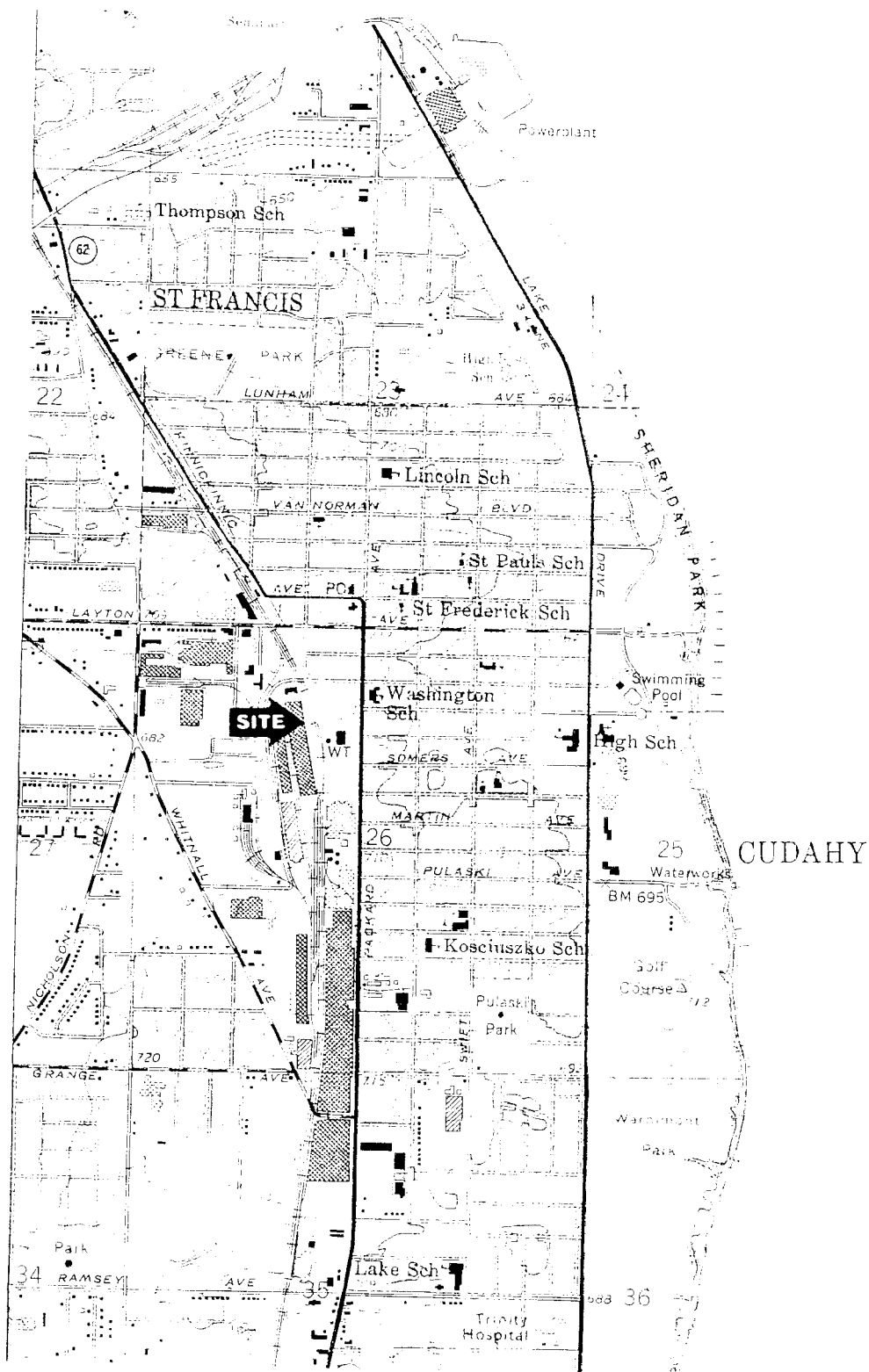
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0 125 250			
SCALE: 1"=250'			
DRN. BY:	S.L.G.	DATE:	11/30/98
DSN. BY:	D.K.P.	FILE NO.:	0804004
CHK. BY:	D.K.P.	DWG. NO.:	08040042
REV. BY:	G.L.J.	SHEET NO.:	2



FIGURE 2  
SITE LAYOUT MAP

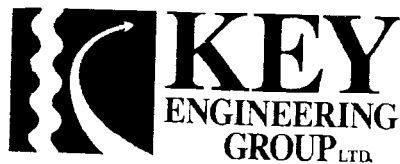
SITE INVESTIGATION REPORT  
PATRICK CUDAHY, INC.  
3500 EAST BARNARD AVENUE  
CUDAHY, WISCONSIN



SOURCE: USGS South Milwaukee, Wisconsin Quadrangle Map  
Topographic Map 1958  
Photorevised 1971  
Photoinspected 1976

0 1000 2000

SCALE: 1"=2000'

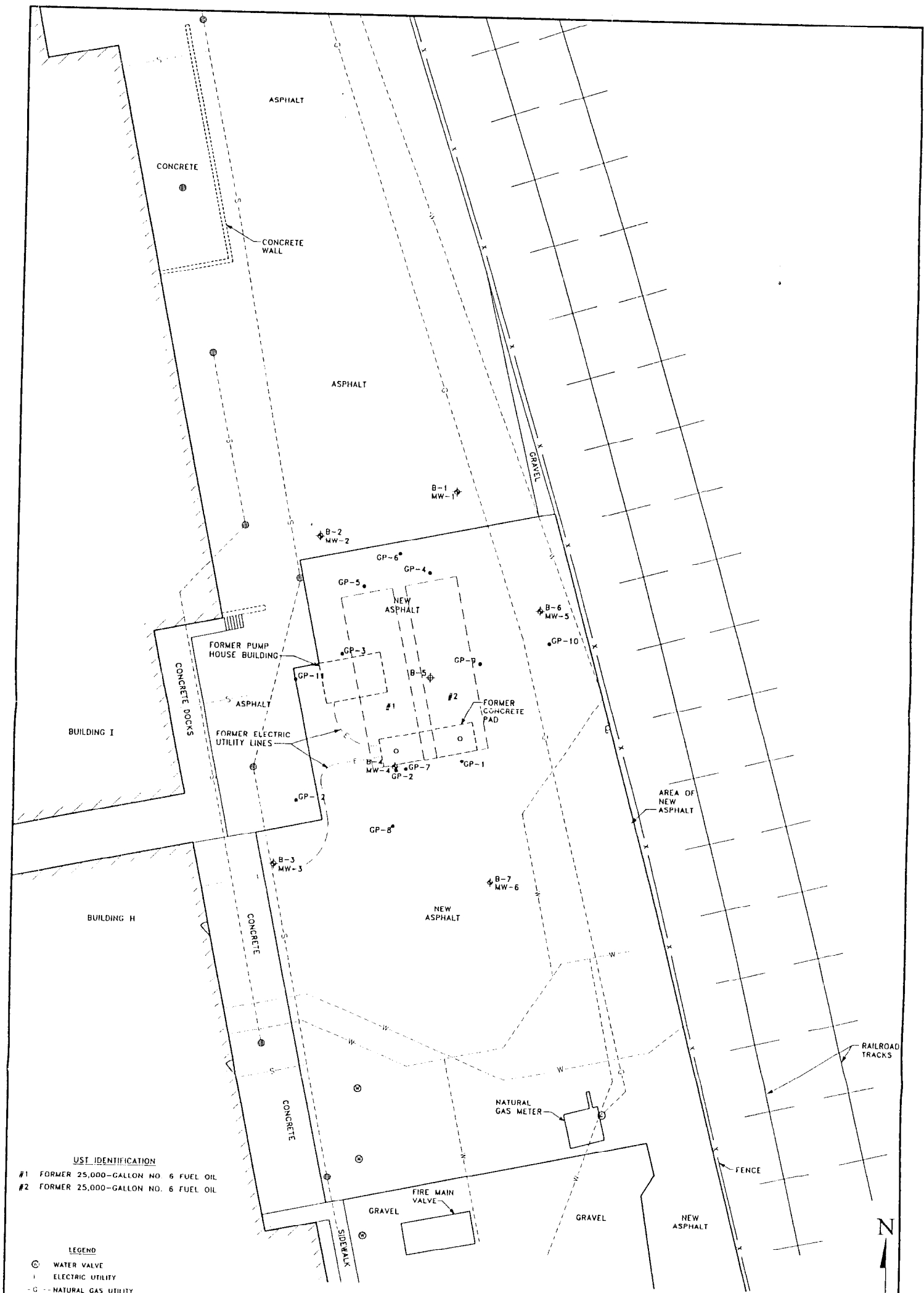


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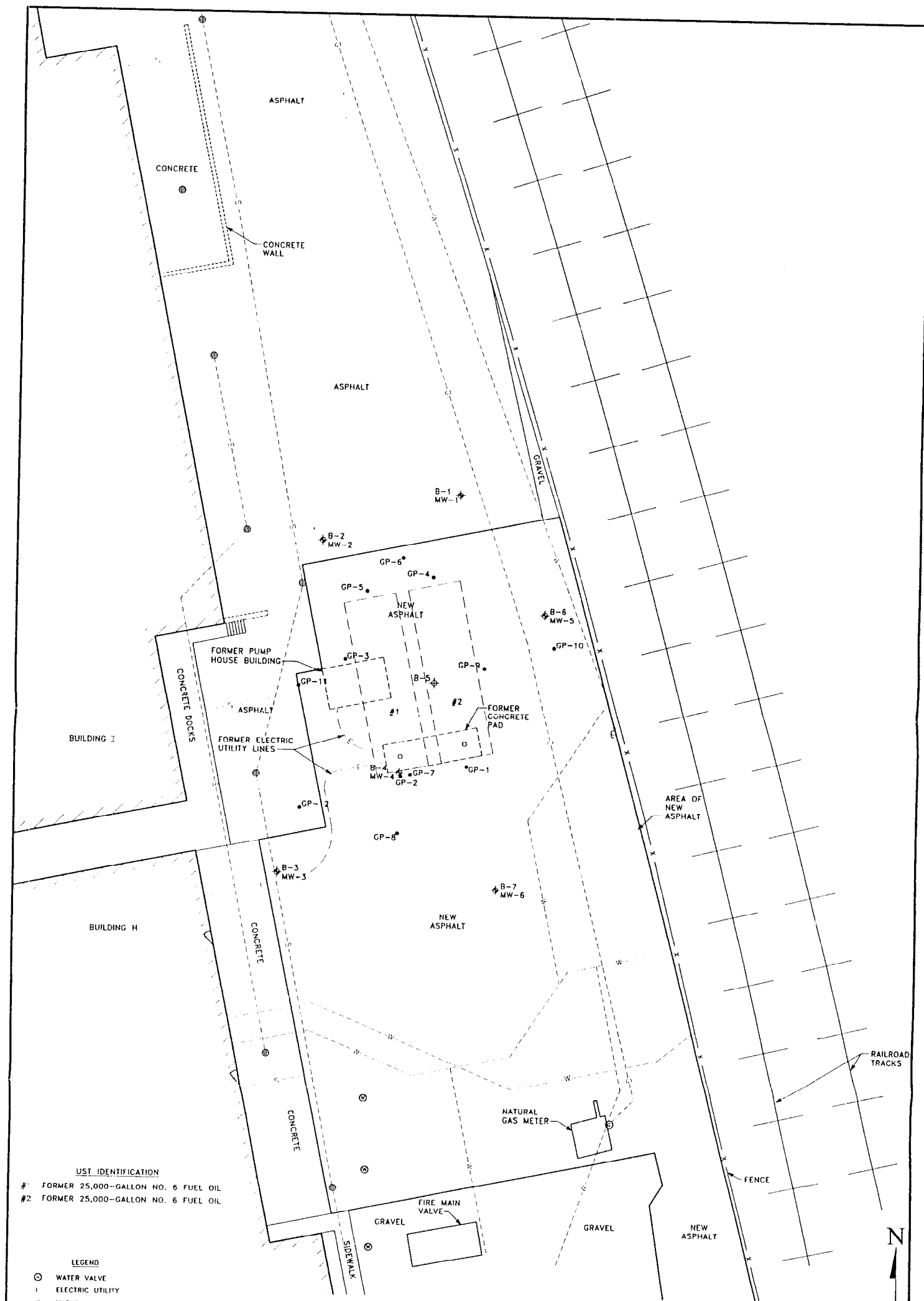
## FIGURE 1 SITE LOCATION MAP

SITE INVESTIGATION REPORT  
PATRICK CUDAHY, INC.  
3500 EAST BARNARD  
CUDAHY, WISCONSIN

DRN. BY:	S.L.G.	DATE:	11/30/98
DSN. BY:	D.K.P.	FILE NO.:	0804004
CHK. BY:	D.K.P.	DWG. NO.:	08040041
REV. BY:	G.L.J.	SHEET NO.:	1







# UST IDENTIFICATION

- #1 FORMER 25,000-GALLON NO. 6 FUEL OIL
- #2 FORMER 25,000-GALLON NO. 6 FUEL OIL

## LEGEND

- WATER VALVE
- ⊕ ELECTRIC UTILITY
- ⊕ NATURAL GAS UTILITY
- ⊕ SEWER UTILITY
- ⊕ WATER UTILITY
- ⊕ MONITORING WELL LOCATION
- ⊕ SOIL BORING LOCATION
- SOIL PROBE LOCATION

0 10 20  
SCALE: 1"=20'

DRN. BY:	J.J.J.	DATE:	10/11/00
D.N. BY:	D.K.P.	FILE NO.:	0804004
CHK. BY:	D.K.P.	DWG. NO.:	08040040
REV. BY:	G.L.J.	SHEET NO.:	2



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FIGURE 3  
SITE DETAIL MAP

PATRICK CUDAHY, INC.  
3500 EAST BARNARD AVENUE  
CUDAHY, WISCONSIN

TABLE 2

## SUMMARY OF GROUNDWATER SAMPLE ANALYTICAL RESULTS

PATRICK CUDAHY, INC.  
3500 East Barnard Avenue  
Cudahy, Wisconsin 53110

PARAMETERS	SAMPLE IDENTIFICATION															NR 140	
	MW-1					MW-2					MW-3					ES	PAL
Date Collected	8/4/98	12/14/99	3/14/00	6/5/00	9/13/00	8/4/98	12/14/99	3/14/00	6/5/00	9/13/00	8/4/98	12/14/99	3/14/00	6/5/00	9/13/00	NA	NA
DRO (µg/l)	114	<18	73	488	119	164	19 Q	123	379	125	121	26 Q	100	595	101	NA	NA
Detected PAHs (µg/l)																	
Acenaphthene	<3.0	<3.0	<3.0	<3.0	<3.0	<3.0	<3.0	<3.0	<3.0	<3.0	<3.3	<3.0	<3.0	<3.0	<3.0	---	---
Acenaphthylene	<4.6	<4.6	<4.6	<4.6	<4.6	<4.6	9.3 Q	<4.6	<4.6	<4.6	<5.1	<4.6	<4.6	<4.6	<4.6	---	---
Anthracene	<0.3	<0.30	0.37 Q	1.1	<0.30	<0.3	<0.30	<0.30	<0.30	<0.30	<0.3	<0.30	<0.30	<3.0	<0.30	3,000	600
Benzo(a)anthracene	0.08 Q	0.06 Q	<0.04	<0.04	<0.04	<0.04	<0.04	<0.04	<0.04	<0.04	<0.04	<0.04	<0.04	<0.04	<0.04	---	---
Benzo(a)pyrene	<b>0.2</b>	0.17	<0.04	<0.04	0.04 Q	<0.04	<0.04	<0.04	<0.04	<0.04	<0.04	<0.04	<0.04	0.07 Q	<0.04	0.2	0.02
Benzo(b)fluoranthene	0.1 Q	0.10 Q	<0.07	<0.07	<0.07	<0.07	<0.07	<0.07	<0.07	<0.07	<0.08	<0.07	<0.07	<0.07	<0.07	0.2	0.02
Benzo(ghi)perylene	0.2	0.13 Q	<0.07	0.10	<0.07	<0.07	<0.07	<0.07	<0.07	<0.07	<0.08	<0.07	<0.07	0.08 Q	<0.07	---	---
Benzo(k)fluoranthene	<0.01	0.05	<0.01	<0.01	0.01 Q	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	<0.01	0.03 Q	<0.01	---	---
Dibenzo(a,h)anthracene	<0.03	<0.03	<0.03	0.06	<0.03	<0.03	<0.03	<0.03	<0.03	<0.03	<0.03	<0.03	<0.03	<0.03	<0.03	---	---
Fluoranthrene	<1.2	0.05	4.0	1.8	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	<1.3	<1.2	<1.2	<1.2	<1.2	400	80
Indeno(1,2,3-cd)pyrene	<0.2	<0.20	<0.20	1.4	<0.20	<0.2	<0.20	<0.20	<0.20	<0.20	<0.2	<0.20	<0.20	<0.20	<0.20	---	---
1-Methyl Naphthalene	<3.6	14	<3.6	<3.6	<3.6	<3.6	<3.6	<3.6	<3.6	<3.6	<4.0	<3.6	<3.6	<3.6	<3.6	---	---
2-Methyl Naphthalene	<3.2	<3.2	5.9 Q	<3.2	<3.2	<3.2	<3.2	<3.2	<3.2	<3.2	<3.5	<3.2	<3.2	<3.2	<3.2	---	---
Naphthalene	<3.1	<3.1	<3.1	<3.1	<3.1	<3.1	<3.1	<3.1	<3.1	<3.1	<3.4	<3.1	<3.1	<3.1	<3.1	40	8
Phenanthrene	<0.3	<0.30	1.5	1.2	<0.30	<0.3	<0.30	<0.30	<0.30	<0.30	<0.3	<0.30	<0.30	<0.30	<0.30	---	---
Pyrene	<0.60	<0.60	0.60 Q	<0.60	<0.60	<0.60	<0.60	<0.60	<0.60	<0.60	<0.70	<0.60	<0.60	<0.60	<0.60	250	50

## Notes:

Bold values exceed the NR 140 PAL

Shaded values exceed the NR 140 ES

--- - no NR 140 standards

(1) - not sampled because of the presence of free product

DRO - diesel range organics

ES - NR 140 enforcement standard

NA - not applicable

PAHs - polynuclear aromatic hydrocarbons

PAL - NR 140 preventive action limit

Q - qualified, result between the limit of detection and the limit of quantitation

µg/l - micrograms per liter

TABLE 2 (CONTINUED)

## SUMMARY OF GROUNDWATER SAMPLE ANALYTICAL RESULTS

PATRICK CUDAHY, INC.  
3500 East Barnard Avenue  
Cudahy, Wisconsin 53110

PARAMETERS	SAMPLE IDENTIFICATION													NR 140	
	MW-4					MW-5				MW-6				ES	PAL
	8/4/98	12/14/99	3/14/00	6/5/00	9/13/00	12/14/99	3/14/00	6/5/00	9/13/00	12/14/99	3/14/00	6/5/00	9/13/00		
Date Collected	8/4/98	12/14/99	3/14/00	6/5/00	9/13/00	12/14/99	3/14/00	6/5/00	9/13/00	12/14/99	3/14/00	6/5/00	9/13/00	NA	NA
DRO (µg/l)	2,420	(1)	(1)	(1)	(1)	<18	102	101	107	<18	50	89	73	NA	NA
Detected PAHs (µg/l)															
Acenaphthene	21	(1)	(1)	(1)	(1)	<3.0	<3.0	<3.0	<3.0	20	<3.0	<3.0	<3.0	---	---
Acenaphthylene	7.6 Q	(1)	(1)	(1)	(1)	<4.6	<4.6	<4.6	<4.6	<4.6	<4.6	<4.6	<4.6	---	---
Anthracene	0.5 Q	(1)	(1)	(1)	(1)	<0.30	<0.30	<0.30	<0.30	<0.30	<0.30	<0.30	<0.30	---	---
Benzo(a)anthracene	186	(1)	(1)	(1)	(1)	<0.04	<0.04	<0.04	<0.04	<0.04	<0.04	<0.04	<0.04	3,000	600
Benzo(a)pyrene	<5.3	(1)	(1)	(1)	(1)	<0.04	<0.04	<0.04	<0.04	<0.04	<0.04	<0.04	<0.04	---	---
Benzo(b)fluoranthene	<b>257</b>	(1)	(1)	(1)	(1)	<0.07	<0.07	<0.07	<0.07	<0.07	<0.07	<0.07	<0.07	0.2	0.02
Benzo(ghi)perylene	<9.3	(1)	(1)	(1)	(1)	0.07 Q	<0.07	<0.07	<0.07	<0.07	<0.07	<0.07	<0.07	0.2	0.02
Benzo(k)fluoranthene	307	(1)	(1)	(1)	(1)	<0.01	<0.01	<0.01	<0.01	<0.07	<0.07	<0.07	<0.07	---	---
Dibenzo(a,h)anthracene	<4.0	(1)	(1)	(1)	(1)	<0.03	<0.03	<0.03	<0.03	<0.01	<0.01	<0.01	<0.01	---	---
Fluoranthene	3.3 Q	(1)	(1)	(1)	(1)	<0.03	<0.03	<0.03	<0.03	<0.03	<0.03	<0.20	<0.03	---	---
Indeno(1,2,3-cd)pyrene	4.1	(1)	(1)	(1)	(1)	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	<1.2	400	80
1-Methyl Naphthalene	<4.7	(1)	(1)	(1)	(1)	<0.20	<0.20	<0.20	<0.20	<0.20	<0.20	<0.20	<0.20	---	---
2-Methyl Naphthalene	<4.2	(1)	(1)	(1)	(1)	<3.6	<3.6	<3.6	<3.6	<3.6	<3.6	<3.6	<3.6	---	---
Naphthalene	<b>61</b>	(1)	(1)	(1)	(1)	8.7 Q	<3.2	<3.2	<3.2	<3.2	<3.2	<3.2	<3.2	---	---
Phenanthrene	1.2 Q	(1)	(1)	(1)	(1)	<3.1	<3.1	<3.1	<3.1	<3.1	<3.1	<3.1	<3.1	40	8
Pyrene	<80	(1)	(1)	(1)	(1)	<0.30	<0.30	<0.30	<0.30	<0.30	<0.30	<0.30	<0.30	---	---
						<0.60	<0.60	<0.60	<0.60	<0.60	<0.60	<0.60	<0.60	250	50

## Notes:

Bold values exceed the NR 140 PAL

Shaded values exceed the NR 140 ES

--- - no NR 140 standards

(1) - not sampled because of the presence of free product

DRO - diesel range organics

ES - NR 140 enforcement standard

NA - not applicable

PAHs - polynuclear aromatic hydrocarbons

PAL - NR 140 preventive action limit

Q - qualified, result between the limit of detection and the limit of quantitation

µg/l - micrograms per liter

TABLE 3

## SUMMARY OF GROUNDWATER NATURAL ATTENUATION INDICATOR PARAMETER DATA

PATRICK CUDAHY, INC.  
3500 East Barnard Avenue  
Cudahy, Wisconsin 53110

PARAMETERS	SAMPLE IDENTIFICATION															SAMPLE COLLECTION METHOD
	MW-1					MW-2					MW-3					
	8/4/98	12/14/99	3/14/00	6/5/00	9/13/00	8/4/98	12/14/99	3/14/00	6/5/00	9/13/00	8/4/98	12/14/99	3/14/00	6/5/00	9/13/00	
Date Collected	8/4/98	12/14/99	3/14/00	6/5/00	9/13/00	8/4/98	12/14/99	3/14/00	6/5/00	9/13/00	8/4/98	12/14/99	3/14/00	6/5/00	9/13/00	NA
Temperature (°F)	61.1	58.6	53.9	53.4	52.2	63.5	60.7	53.2	55.1	62.7	71.3	59.7	57.3	58.2	64.6	FIELD
Specific Conductance (µS/cm)	1,181	2,168	2,004	1,297	1,752	3,727	3,051	3,909	4,848	5,348	879	776.1	1,356	1,145	1,075	FIELD
Resistivity (kΩ/cm)	0.847	0.461	0.498	0.771	0.868	0.268	0.327	0.256	0.206	0.187	1.221	1.289	0.738	0.872	0.930	FIELD
pH (s.u.)	7.67	6.96	6.73	6.88	7.13	7.68	6.98	6.68	6.98	7.11	7.87	7.45	8.97	7.08	7.23	FIELD
ORP (mV)	390	310	289	176	344	401	304	327	171	377	364	311	353	200	388	FIELD
Salinity (g/l)	0.62	1.16	1.07	0.68	0.61	2.03	1.64	2.13	2.66	2.95	0.43	0.40	0.72	0.60	0.56	FIELD
D.O. (mg/l)	1.63	3.11	3.38	1.55	8.47	0.44	0.89	1.34	0.59	1.86	2.25	5.90	8.11	4.36	6.01	FIELD
Ferrous Iron (mg/l)	0.48	0.11	0.21	0.03	1.21	3.96	0.31	0.04	0.20	1.38	1.20	0.76	0.00	0.14	0.40	FIELD
Nitrate (mg/l)	3.2	1.7	7.8	3.4	1.1	1.2	11	24	27	12	<0.04	0.04 Q	0.18	<0.03	<0.03	LABORATORY
Sulfate (mg/l)	99	152	194	139	188	140	114	104	225	197	79	31 Q	60	128	71	LABORATORY
Methane (µg/l)	430	120	96	1,200	7.5	3.5	4.8	5.9	4.8	450	2.5	4.1	8.1	0.57	4.5	LABORATORY
T.O.C. (mg/l)	42	---	---	---	---	3.6	---	---	---	---	410	---	---	---	---	LABORATORY

## Notes:

--- - not analyzed

(1) - not sampled because of the presence of free product

D.O. - dissolved oxygen

°F - degrees Fahrenheit

g/l - grams per liter

kΩ/cm - kilohms per centimeter

mg/l - milligrams per liter

mV - millivolts

NA - not applicable

ORP - oxidation reduction potential

Q - qualified, result between the limit of detection and the limit of quantitation

s.u. - standard units

T.O.C. - total organic compound

µg/l - micrograms per liter

µS/cm - microsiemens per centimeter

TABLE 3 (CONTINUED)

## SUMMARY OF GROUNDWATER NATURAL ATTENUATION INDICATOR PARAMETER DATA

PATRICK CUDAHY, INC.  
3500 East Barnard Avenue  
Cudahy, Wisconsin 53110

PARAMETERS	SAMPLE IDENTIFICATION													SAMPLE COLLECTION METHOD
	MW-4					MW-5				MW-6				
	8/4/98	12/14/99 (1)	3/14/00 (1)	6/5/00 (1)	9/13/00 (1)	12/14/99	3/14/00	6/5/00	9/13/00	12/14/99	3/14/00	6/5/00	9/13/00	
Date Collected	8/4/98	12/14/99 (1)	3/14/00 (1)	6/5/00 (1)	9/13/00 (1)	12/14/99	3/14/00	6/5/00	9/13/00	12/14/99	3/14/00	6/5/00	9/13/00	NA
Temperature (°F)	73.6	---	---	---	---	57.9	53.8	56.4	66.5	57.6	54.3	54.1	59.1	FIELD
Specific Conductance (µS/cm)	1,482	---	---	---	---	13	2,145	1,136	1,309	1,181	1,519	1,300	1,045	FIELD
Resistivity (kΩ/cm)	0.675	---	---	---	---	0.736	0.466	0.879	0.764	0.847	0.660	0.769	0.958	FIELD
pH (s.u.)	7.69	---	---	---	---	7.20	6.67	6.58	6.92	7.36	6.72	6.74	7.22	FIELD
ORP (mV)	362	---	---	---	---	299	345	182	398	310	361	275	388	FIELD
Salinity (g/l)	0.79	---	---	---	---	0.72	1.15	0.60	0.69	0.62	0.80	0.69	0.55	FIELD
D.O. (mg/l)	1.74	---	---	---	---	2.84	0.59	1.47	2.27	0.93	1.81	1.16	3.71	FIELD
Ferrous Iron (mg/l)	1.90	---	---	---	---	0.15	0.04	0.29	0.08	0.20	0.02	0.15	0.83	FIELD
Nitrate (mg/l)	26	---	---	---	---	4.1	7.5	5.3	5	3.2	4.2	4.4	2.8	LABORATORY
Sulfate (mg/l)	149	---	---	---	---	79	228	85	117	97	94	206	86	LABORATORY
Methane (µg/l)	21	---	---	---	---	1.7	190	7.3	7.7	4.3	50	17	<0.50	LABORATORY
T.O.C. (mg/l)	520	---	---	---	---	---	---	---	---	---	---	---	---	LABORATORY

Notes:

## Notes:

--- - not analyzed

(1) - not sampled because of the presence of free product

D.O. - dissolved oxygen

°F - degrees fahrenheit

g/l - grams per liter

kΩ/cm - kilohms per centimeter

mg/l - milligrams per liter

mV - millivolts

NA - not applicable

ORP - oxidation reduction potential

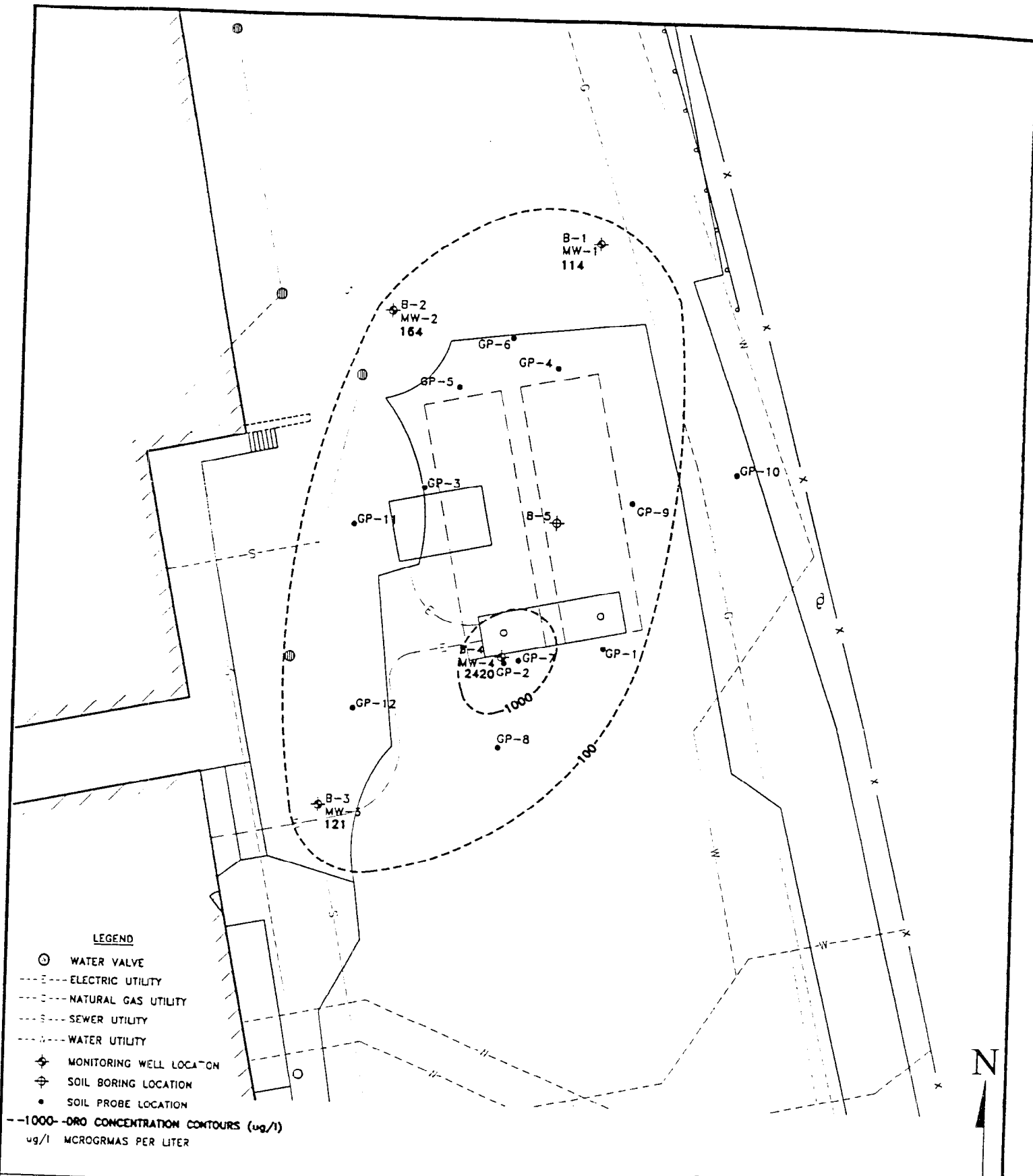
Q - qualified, result between the limit of detection and the limit of quantitation

s.u. - standard units

T.O.C. - total organic compound

µg/l - micrograms per liter

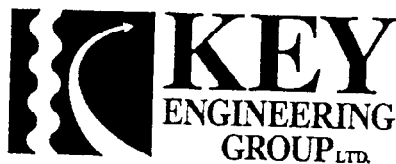
µS/cm - microsiemens per centimeter



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0 10 20

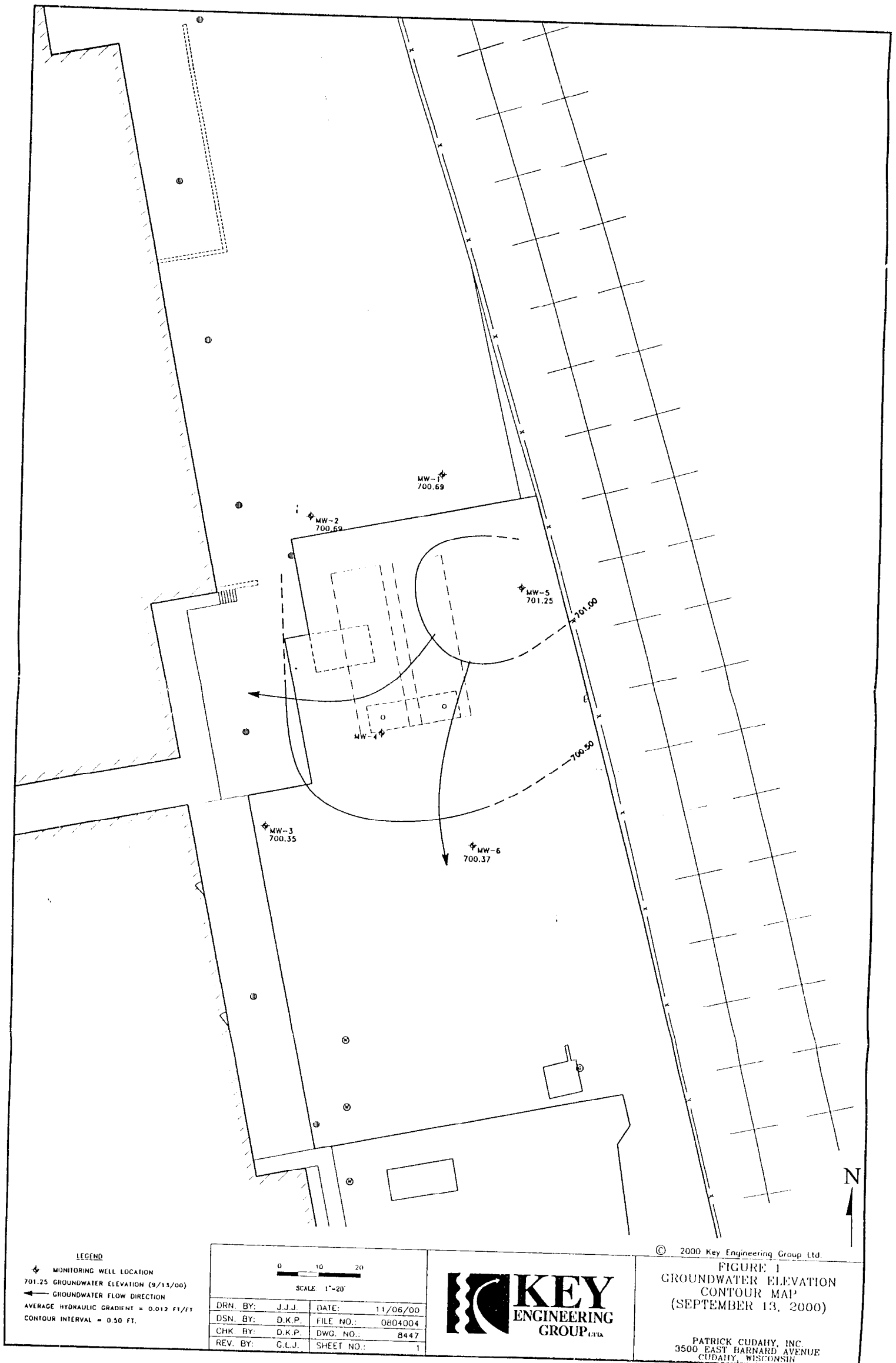
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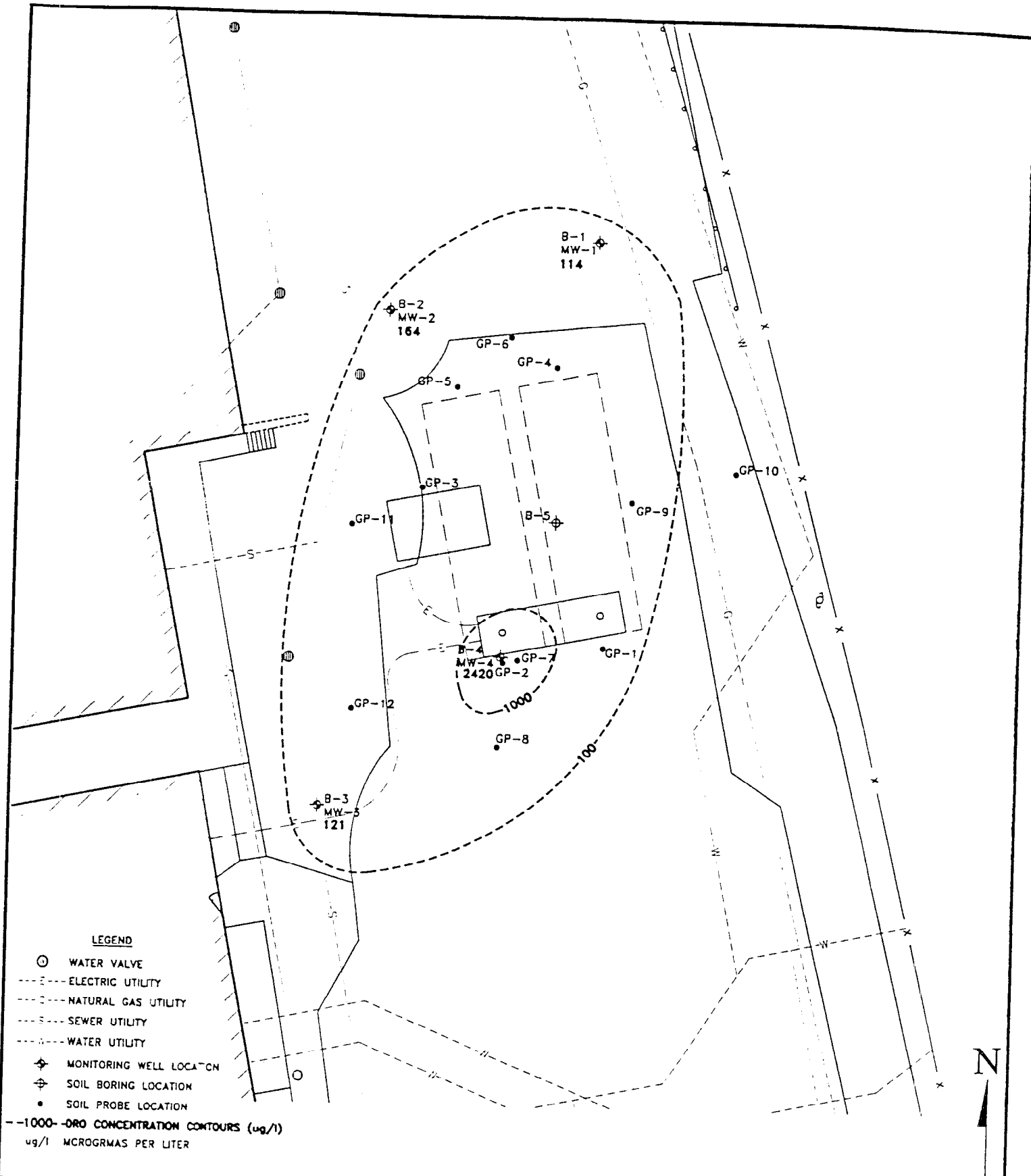


DRO ISO-CONCENTRATION  
CONTOURS FOR GROUNDWATER  
(AUGUST 4, 1998)

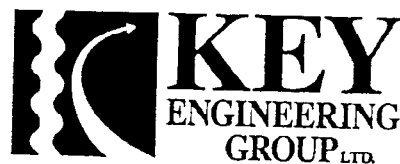
PATRICK CUDAHY, INC.  
3500 EAST BARNARD AVENUE  
CUDAHY, WISCONSIN

DRN. BY:	J.J.J.	DATE:	08/23/99
DSN. BY:	D.K.P.	FILE NO.:	0804004
CHK. BY:	D.K.P.	DWG. NO.:	840043
REV. BY:	G.L.J.	SHEET NO.:	2





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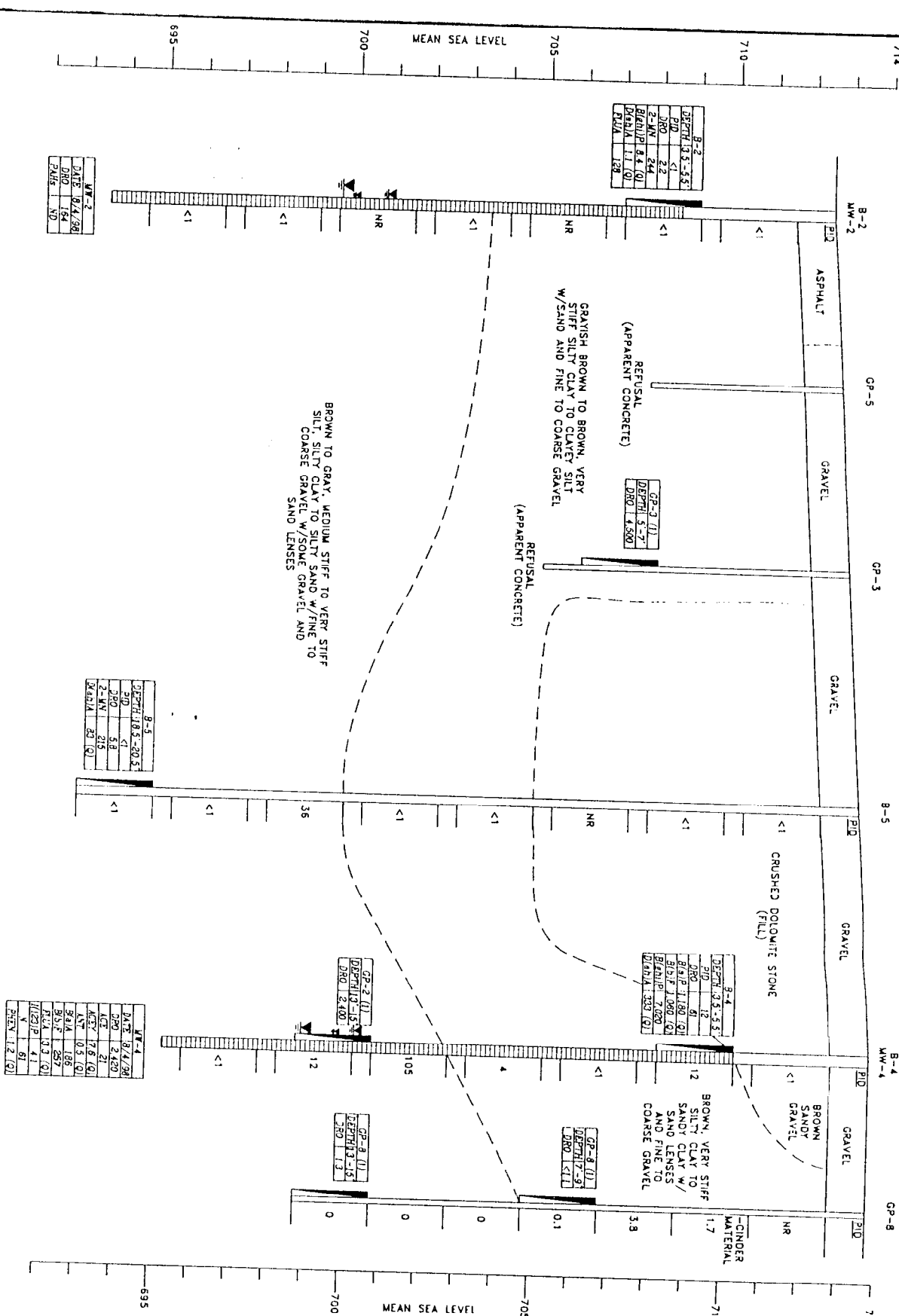
DRN. BY:	J.J.J.	DATE:	08/23/99
DSN. BY:	D.K.P.	FILE NO.:	0804004
CHK. BY:	D.K.P.	DWG. NO.:	84C043
REV. BY:	G.L.J.	SHEET NO.:	2



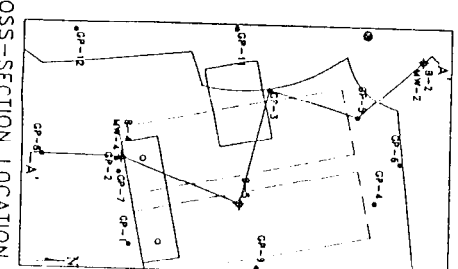
A  
NORTH

SCHEMATIC CROSS-SECTION A-A'

A'  
SOUTH



CROSS-SECTION LOCATION MAP



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FIGURE 5  
SCHEMATIC CROSS-SECTION A-A'

0	5	10
HORIZONTAL SCALE: 1"=10'		
0	1.5	3
VERTICAL SCALE: 1"=3'		
DRN. BY:	SLG.	DATE:
DSN. BY:	RAA.	FILE NO.:
CHK. BY:	RAA.	DWG. NO.:
REV. BY:	GLJ.	SHEET NO.:



SITE INVESTIGATION REPORT  
PATRICK CUDAHY, INC.  
3500 EAST BARNARD AVENUE  
CUDAHY, WISCONSIN

Document Number

GROUNDWATER USE RESTRICTION

8288750

REGISTER'S OFFICE 1 SS  
Milwaukee County, WI

RECORDED AT 10:55 AM

05-31-2002

IGNATIUS J. NIEMCZYK  
REGISTER OF DEEDS

AMOUNT 19.00

Declaration of Restrictions

In Re: See Exhibit #1

STATE OF WISCONSIN )  
COUNTY OF MILWAUKEE ) SS

WHEREAS, PCI Company, Inc. is the owner of the above-described property.

WHEREAS, one or more petroleum discharges have occurred on this property. Petroleum contaminated groundwater above ch. NR 140, Wis. Adm. Code enforcement standards existed on this property at the following location(s) on the following date(s): benzo (a) pyrene at 0.2 microgram per liter ( $\mu\text{g/l}$ ) in MW-1 on August 4, 1998 and benzo (b) fluoranthene at 257  $\mu\text{g/l}$  and naphthalene at 61  $\mu\text{g/l}$  in MW-4 on August 4, 1998 as presented on Figure 1 which is attached and hereby made a part of this restriction. In addition, an oily residue was observed in MW-4 on December 14, 1999, March 14, 2000, June 5, 2000 and September 13, 2000. Diesel range organic soil contamination exceeding ch. NR 720, Wis. Adm. Code generic residual contaminant levels existed on the property at the following soil probe location(s) on the following dates: GP-2 (13 to 15 feet below ground surface (bgs) at 2,400 milligrams per kilograms (mg/kg), GP-3 (5 to 7 feet bgs at 4,500 mg/kg), GP-4 (5 to 7 feet bgs at 4,300), GP-7 (15 to 17 feet bgs at 4,500 mg/kg), GP-9 (5 to 7 feet bgs at 170 mg/kg), and GP-12 (5 to 7 feet bgs at 1,200 mg/kg) as shown on Figure 2, which is attached and hereby made a part of this restriction.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further groundwater or soil remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Wisconsin Department of Natural Resources to remediate groundwater contamination exceeding ch. NR 140, Wis. Adm. Code groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality does not comply with drinking water standards in ch. NR 809, Wis. Adm. Code is restricted by ch. NR 811 and ch. NR 812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Wisconsin Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific requirements are

Name and Return Address  
Patrick Cudahy, Inc.  
3500 East Barnard Avenue  
Cudahy, Wisconsin 53110

631.9977.002

Parcel Identification Number (PIN)

applicable, prior to constructing or reconstructing a well on this property. No well may be constructed on this property unless applicable requirements are met.

If construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property, while this groundwater use restriction is in effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted groundwater shall be managed in compliance with applicable statutes and rules.

If in the future, a non-industrial land use is planned for the property, the Wisconsin Department of Natural Resources must be notified by the owner of the intent to change the land use.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to a copy of the Department's written determination, may be recorded to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

By signing this document, Stephen A. Samelyk asserts that he/she is duly authorized to sign this document on behalf of PCI Company, Inc.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 20<sup>th</sup> day of MAY, 2002.

Signature: [Signature]

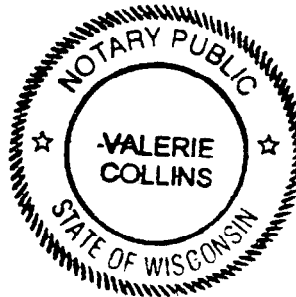
Printed Name: Stephen A. Samelyk

Subscribed and sworn to before me  
this 20 day of May, 2002.

Valerie J. Collins

Notary Public, State of Wisconsin

My commission 7-25-04



This document was drafted by Dan Pelczar of Key Engineering Group, Ltd. based upon information provided by the Wisconsin Department of Natural Resources.

## **EXHIBIT #1**

### **LEGAL DESCRIPTION**

A portion of Certified Survey Map No. 5961 records of Milwaukee County being located in a part of the Northeast quarter of the Northwest quarter of Section 26, Township 6 North, Range 22 East, City of Cudahy, Milwaukee County, Wisconsin, described as follows:

Commencing at the Northwest corner of the Northwest quarter of said Section 26;

thence N 88°10'19" E along the North line of said Section 26, a distance of 1496.68 feet to a point on the Westerly right of way line of the Chicago and Northwestern Transportation Company,

thence S 34°14'41" E along said Westerly right of way line, a distance of 344.65 feet,

thence S 34°14'41" E along said Westerly right of way line, a distance of 53.79 feet to a point of curvature,

thence 834.23 feet along the arc of a curve to the right having a radius of 2819.93 feet and a central angle of 16°57'00", said arc being subtended by a chord bearing S 25°46'11" E, a distance of 831.19 feet to the POINT OF BEGINNING,

thence 131.10 feet along the arc of a curve to the right having a radius of 2819.93 feet and a central angle of 2°39'49", said arc being subtended by a chord bearing S 15°57'46" E, a distance of 131.09 feet to a point,

thence S 78°24'43" W, a distance of 88.69 feet,

thence N 11°23'49" W, a distance of 91.54 feet,

thence N 78°24'43" E, a distance of 15.90 feet,

thence N 11°35'17" W, a distance of 39.16 feet,

thence N 78°24'43" E, a distance of 62.48 feet to the POINT OF BEGINNING,

Said parcel contains 10,356.00 square feet or 0.238 acres, more or less and is subject to all easements, roadways or any other matters of record.

A site location is presented on Figure 1, with a site property layout map presented on Figure 2 and the engineering control area (legal description above) presented on Figure 3.

P. J. J. J. J.





REGISTER'S OFFICE | SS  
Milwaukee County, WI

RECORDED AT 10:55 AM

05-31-2002

IGNATIUS J. NIEMCZYK  
REGISTER OF DEEDS

AMOUNT 29.00

### Declaration of Restrictions

In Re: See Exhibit #1

STATE OF WISCONSIN                 )  
COUNTY OF MILWAUKEE          ) ss

WHEREAS, PCI Company, Inc. is the owner of the above-described property.

WHEREAS, one or more petroleum (diesel range organics) discharges have occurred on this property. Petroleum (diesel range organics) - contaminated soil remains on this property at the following soil probe location(s): GP-2, GP-3, GP-4, GP-7, GP-9 and GP-12 as shown on Figure 1 which is attached and hereby made a part of this restriction.

Name and Return Address  
Patrick Cudahy, Inc.  
3500 East Barnard Avenue  
Cudahy, Wisconsin 53110

631.9977.002

Parcel Identification Number (PIN)

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further soil remediation activities on the property at the present time and will preserve the integrity of certain engineering controls for the protection of human health and the environment.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

The following activities are prohibited on that portion of the property described above where a cap or cover has been placed as presented on Figure 1, unless prior written approval has been obtained from the Wisconsin Department of Natural Resources or its successor or assign: (1) Excavating or grading other than in conformance with the *Soil Performance Standard Cap Inspection and Maintenance Plan* (2) Filling on the capped area; (3) Plowing for agricultural cultivation; and (4) Construction or installation of a building or other structure with a foundation that would sit on or be placed within the cap or cover.

On and after the date of this Deed Restriction, the following activities are prohibited on the Property unless done in accordance with the *Soil Performance Standard Cap Inspection and Maintenance Plan* approved by the Department of Natural Resources and appended hereto as Exhibit #2: which is hereby made a part of this restriction.

or after obtaining the prior written approval of the Department of Natural Resources (1) Utility repairs; and (2) Removal, repair or replacement of pavement.

Otherwise prohibited actions that are necessary to respond to emergencies or conditions presenting an imminent and substantial threat to human health, safety or property may be undertaken without the prior written approval of the Department of Natural Resources, however, the Department of Natural Resources shall be notified of such actions as soon as possible.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction inures to the benefit of and is enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to a copy of the Department's written determination, may be recorded by the property owner or other interested party to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

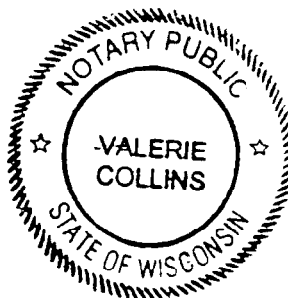
By signing this document, Stephen A. Samcik asserts that he/she is duly authorized to sign this document on behalf of PCI Company, Inc.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 20<sup>th</sup> day of May, 2002.

Signature: [Signature]  
Printed Name: Stephen A. Samcik

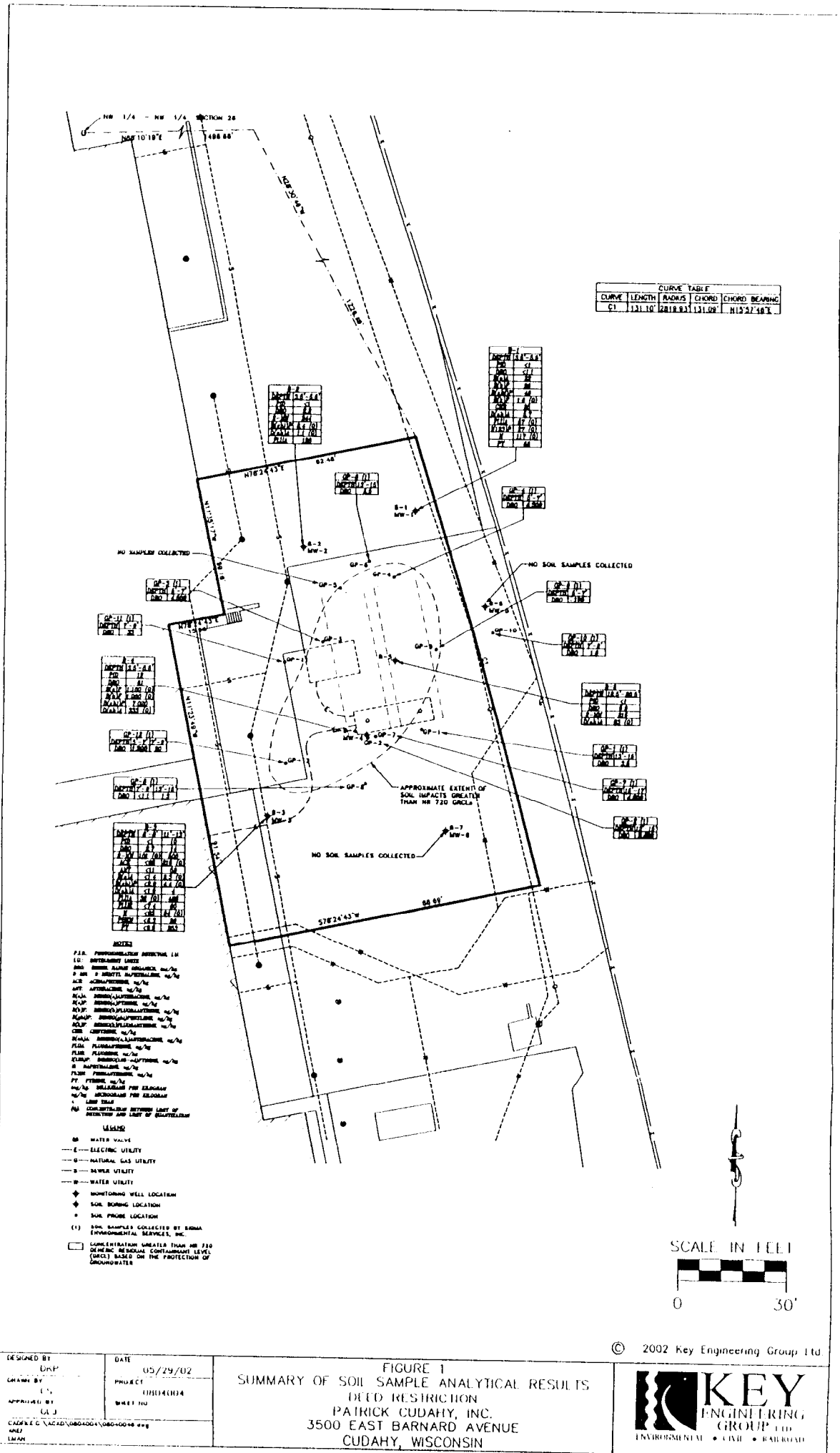
Subscribed and sworn to before me  
this 20 day of May, 2002.

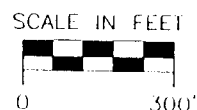
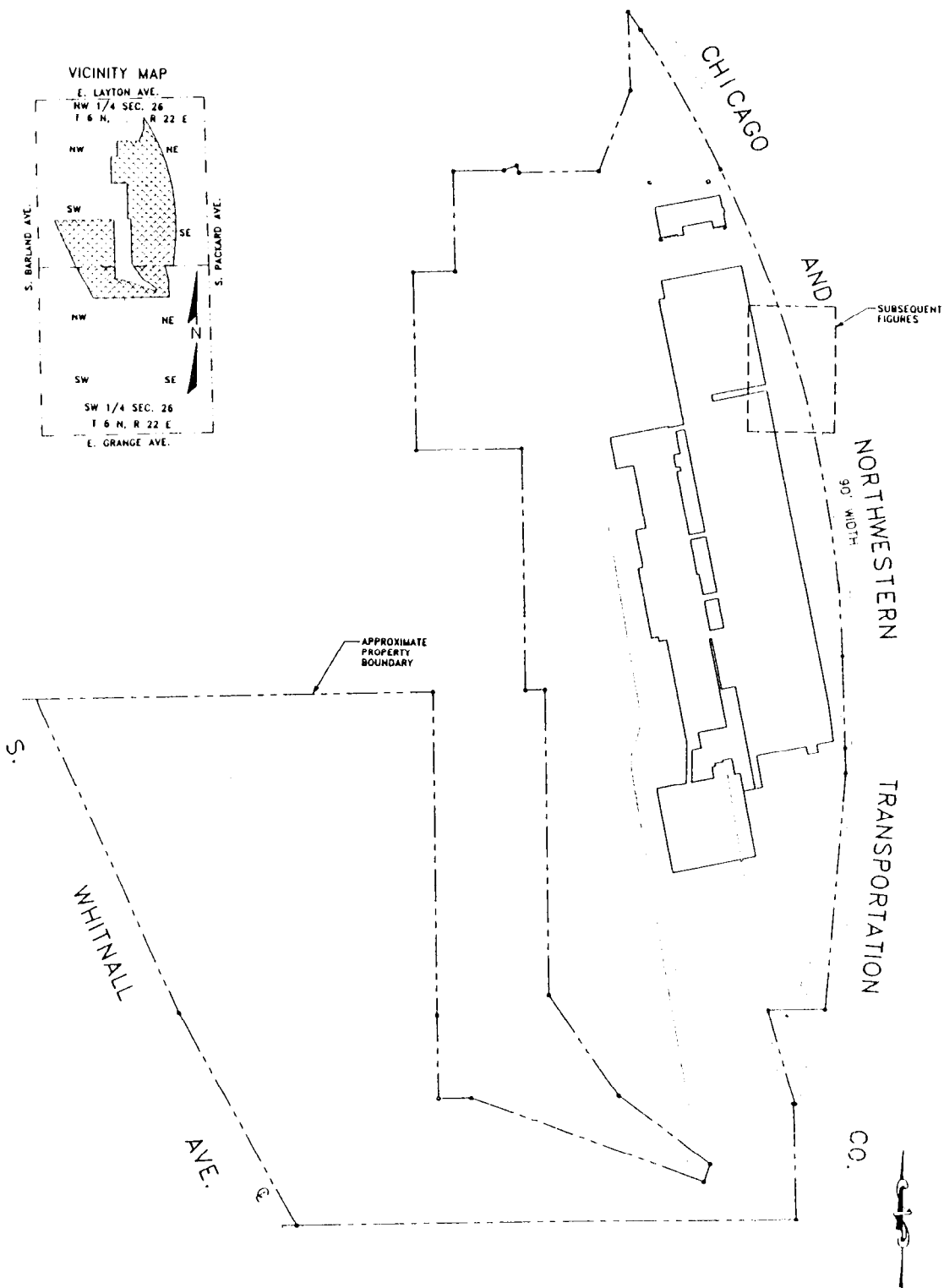
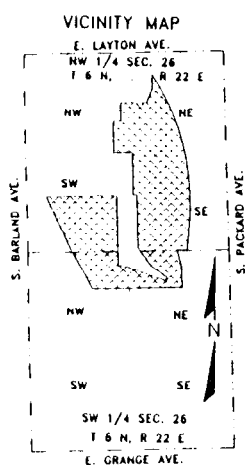
[Signature]  
Notary Public, State of Wisconsin  
My commission 7.55.04



This document was drafted by Dan Pelczar of Key Engineering Group, Ltd. based upon the information provided by the Wisconsin Department of Natural Resources.







SOURCE Certified Survey Map No. 5799  
National Survey & Engineering  
NSE No. 155633  
Date unknown

© 2002 Key Engineering Group Ltd

DESIGNED BY DKP	DATE 05/29/02
DRAWN BY CS	PROJECT 0804004
APPROVED BY JLJ	SHEET NO.
CALCULATED BY JLJ	
CHECKED BY JLJ	

FIGURE 2  
SITE PROPERTY LAYOUT MAP  
DEED RESTRICTION  
PATRICK CUDAHY, INC.  
3500 EAST BARNARD AVENUE  
CUDAHY, WISCONSIN



## **EXHIBIT #1**

### **LEGAL DESCRIPTION**

A portion of Certified Survey Map No. 5961 records of Milwaukee County being located in a part of the Northeast quarter of the Northwest quarter of Section 26, Township 6 North, Range 22 East, City of Cudahy, Milwaukee County, Wisconsin, described as follows:

Commencing at the Northwest corner of the Northwest quarter of said Section 26;

thence N 88°10'19" E along the North line of said Section 26, a distance of 1496.68 feet to a point on the Westerly right of way line of the Chicago and Northwestern Transportation Company,

thence S 34°14'41" E along said Westerly right of way line, a distance of 344.65 feet,

thence S 34°14'41" E along said Westerly right of way line, a distance of 53.79 feet to a point of curvature,

thence 834.23 feet along the arc of a curve to the right having a radius of 2819.93 feet and a central angle of 16°57'00", said arc being subtended by a chord bearing S 25°46'11" E, a distance of 831.19 feet to the POINT OF BEGINNING,

thence 131.10 feet along the arc of a curve to the right having a radius of 2819.93 feet and a central angle of 2°39'49", said arc being subtended by a chord bearing S 15°57'46" E, a distance of 131.09 feet to a point,

thence S 78°24'43" W, a distance of 88.69 feet,

thence N 11°23'49" W, a distance of 91.54 feet,

thence N 78°24'43" E, a distance of 15.90 feet,

thence N 11°35'17" W, a distance of 39.16 feet,

thence N 78°24'43" E, a distance of 62.48 feet to the POINT OF BEGINNING,

Said parcel contains 10,356.00 square feet or 0.238 acres, more or less and is subject to all easements, roadways or any other matters of record.

A site location is presented on Figure 1, with a site property layout map presented on Figure 2 and the engineering control area (legal description above) presented on Figure 3.

## **EXHIBIT #2**

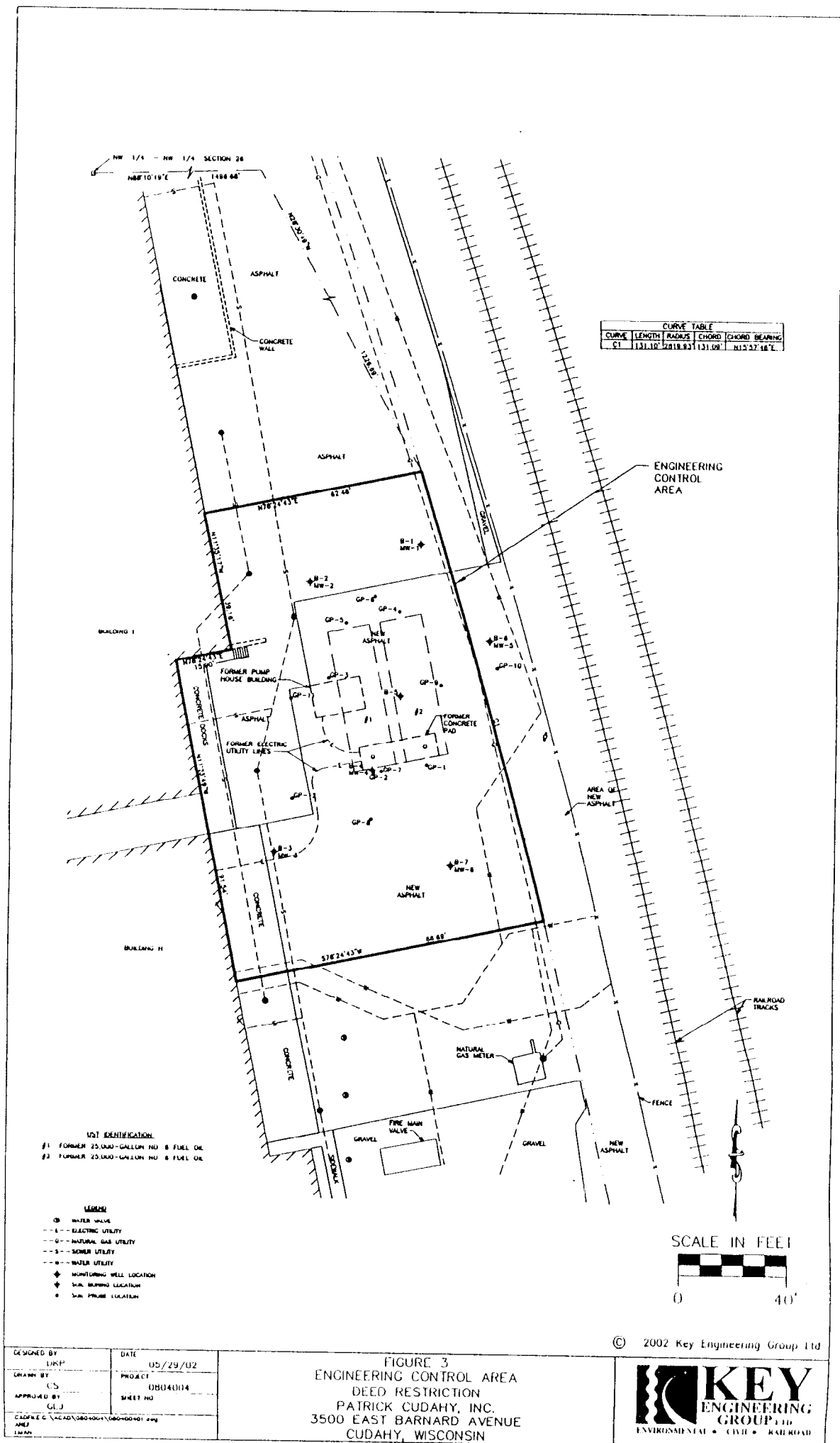
### **SOIL PERFORMANCE STANDARD CAP INSPECTION AND MAINTENANCE PLAN**

This *Soil Performance Standard Cap Inspection and Maintenance Plan* shall be applicable to the parcel of Property depicted on Exhibit #1, and a copy of this *Soil Performance Standard Cap Inspection and Maintenance Plan* shall at all times be kept on file in the offices of the owner of the Property, Patrick Cudahy, Inc., or its successors(s) in interest (the "Owner"), and any company that is retained to manage the Property on behalf of the Owner (the "Property Manager").

1. **Annual Inspections.** Not less than annually, the paved areas of the Property shall be inspected to ensure that no significant fissures or cracks develop in the paved areas, which would allow a materially significant increase in the infiltration and percolation of precipitation or surface water through the contaminated soils beneath the paved areas. Any disturbance or significant cracking of the pavement shall be noted. Upon completion of the inspection a brief form shall be completed which identifies the date of the inspection, the individual(s) conducting the inspection, any observed disturbance or any significant cracking observed in the paved areas. A copy of the inspection form shall be kept on file by the Owner and/or Property Manager, with a copy of this *Soil Performance Standard Cap Inspection and Maintenance Plan* and shall be made available for inspection by representatives of the Wisconsin Department of Natural Resources, upon reasonable request during the normal business hours of the Owner or Property Manager. The *Soil Performance Standard Cap Inspection and Maintenance Plan* form is attached hereto as Exhibit #2 Attachment #1.
2. **Repairs to Capped Areas.** If, during the annual inspection or other routine inspections of the Property, significant cracking is observed in paved areas, the Owner shall arrange to have repairs made to such areas, in a manner consistent with this *Soil Performance Standard Cap Inspection and Maintenance Plan*. Such repairs shall be carried out within a reasonable period of time, not to exceed one hundred twenty (120) days, subject to weather and season considerations.
3. **Performance Replacement and Repairs.** If it becomes necessary or desirable to remove or replace pavement, or perform repairs to paved areas, the pavement removal, repair or replacements shall be undertaken in the following manner:
  - A. The contractor performing the work shall be provided with a copy of this *Soil Performance Standard Cap Inspection and Maintenance Plan* and shall prepare a health and safety plan, appropriate to the work being performed, to protect workers from any significant or health threatening exposure to contaminated soils beneath the paved area.
  - B. Any excavated clean soil or granular layer materials beneath the paved area to be removed or repaired, shall be separated and segregated so that they may be replaced upon completion of the work. Any excavation into the contaminated soils beneath the pavement shall be conducted in accordance with the health and safety plan, and any excavated contaminated soils shall be segregated and kept on site, in conformance with the requirements of Chapter NR718, Wis. Adm. Code, until completion of the work.
  - C. Upon completion of the work, previously excavated contaminated soils may be placed back into the excavation, but only to the extent such replacement does not interfere with the replacement and maintenance of the pavement over the area of the excavation, and does not constitute a violation of Wisconsin hazardous waste management law (Chapter 291, Wis. Stats.).
  - D. Any remaining contaminated soils that cannot be replaced in the excavation shall be properly characterized and disposed of at an appropriately licensed facility.

- E. A brief memorandum report describing the work performed identifying the person(s) performing the work, and verifying that this *Soil Performance Standard Cap Inspection and Maintenance Plan* was adhered to, shall be prepared and kept on file by the Owner and/or the Property Manager, and shall be made available for inspection by representatives of the Wisconsin Department of Natural Resources, upon reasonable request, during the normal business of the Owner or Property Manager.
4. **Utility Repairs.** No utility repairs or installation of new replacement utilities shall be conducted on the Property until after the utility and any contractor(s) for the utility have acknowledged receipt of a copy of this *Soil Performance Standard Cap Inspection and Maintenance Plan*. The utility repairs or installation(s) shall be conducted in strict conformance with the standards set forth above with respect to excavations into paved areas. In addition, if the utility repairs or installation(s) involve any disturbance of the seals used to seal the entrance of the utility lines into structures on the property, such seals shall be replaced with new seals of like or superior quality. The utility or its contractor(s) shall prepare a memorandum report regarding the work, as set forth above, which shall be kept on file and made available for inspection by representatives of the Wisconsin Department of Natural Resources, upon reasonable request, during the normal business hours of the Owner or Property Manager.





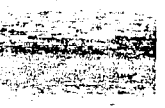
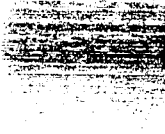
# SOIL PERFORMANCE STANDARD CAP INSPECTION AND MAINTENANCE PLAN FORM

Cudahy, Wisconsin 53110

[illegible]

Notes: This form must be completed annually.





CERTIFICATE NO **250155**

STATE OF WISCONSIN  
MILWAUKEE COUNTY SS.

OFFICE OF  
REGISTER OF DEEDS



I, the undersigned,  
Register of Deeds of  
Milwaukee County,  
hereby certify that  
this document is a  
true and correct copy  
of the original, and  
file or record in  
this office.

Witness my hand and  
official seal this

MAY 31 2002  
Waiter R. Barczak  
Waiter R. Barczak